

May 15, 2001: "China: Human Rights Issues to Consider."

Remarks by Elliott Abrams, former Chairman

United States Commission on International Religious Freedom
Before the Congressional Human Rights Caucus of the United States
House of Representatives

May 15, 2001

Thank you, Mr. Chairman and members of the Caucus. My name is Elliott Abrams and over the last year I served as the Chairman for the U.S. Commission on International Religious Freedom. As of yesterday, May 14th, commissioner terms expired. My remarks are based on the Commission's second annual report, which was released on April 30, 2001 and can be found on the Commission's web site.

I wish to thank the Caucus for inviting the Commission to brief you today on religious freedom in China.

There has been a marked deterioration in the protection of religious freedom in China since the Commission's May 2000 report and since Congress approved PNTR. The PRC government has expanded its crackdown on unregistered religious communities and tightened its control on official religious organizations. It has intensified its campaign against the Falun Gong movement and its followers. The government apparently has also been involved in the confiscation and destruction of up to 3,000 unregistered religious buildings and sites in southeastern China. Government control over the official Protestant and Catholic churches has increased. It continues to interfere in the training and selection of religious leaders and clergy. At the same time, the government continues to maintain tight control over Uighur Muslims and Tibetan Buddhists. Finally, cases of torture by government officials reportedly are on the rise.

B. Religious Freedom

1. Legal/Policy Framework

In the last year, the PRC government promulgated additional rules that restrict religious activities. In September 2000, the Religious Affairs Bureau issued rules governing the religious activities of

foreigners within China, which codified existing regulations that restrict the religious activities of foreigners and their contacts with Chinese citizens. Also in the last year, the Chinese government has established official mechanisms to coordinate its national campaign against "cults," focusing specifically on the Falun Gong movement and its followers. An "Office for Preventing and Handling Cults" was established in September 2000 under the State Council and the government reportedly has created a Politburo-level permanent office in the Communist Party of China (CPC) - headed by a vice premier - that is responsible for the coordination of government efforts to crack down against the Falun Gong movement.

2. Unregistered Religious Organizations

The Chinese government has intensified its campaign to crack down on unregistered religious communities and those that it has identified as "cults," including the Falun Gong and some Protestant house-church movements. The government has detained and tortured religious prisoners, raided homes and independent churches, and closed, confiscated, or destroyed unregistered religious properties.

Since 1999, thousands of Falun Gong practitioners have been arrested and remain in some form of detention. According to the Falun Gong organization, since the second half of 1999, 197 followers have died while in police custody or as a result of police torture. The State Department and Amnesty International reported that police officials have tortured Falun Gong members who were detained or imprisoned. Hundreds of other followers reportedly have been confined to mental hospitals.

On October 1, 2000 (which was China's National Day), security forces beat and detained hundreds of Falun Gong practitioners (perhaps up to 1,000) for holding peaceful demonstrations in Beijing's Tiananmen Square, protesting government policy against the group and official treatment of its followers.

Another Qigong group, the Zhong Gong (which was banned by the government in 1999), reports that more than 30 of its leaders continue to be imprisoned by the Chinese authorities.

The official crackdown on the Falun Gong has been extended to foreign citizens. In November, a U.S.-resident Falun Gong practitioner reportedly was arrested on charges of providing national security information to foreigners. In December, she was sentenced to three years in prison. Also in November, a Canadian citizen was sentenced to three years of re-education through labor for practicing Falun Gong. He was reportedly tortured by police officials while in custody and was released in January 2001.

Members of unregistered Protestant house churches have also been detained, tortured, and subjected to other forms of government harassment. In some areas of China, properties belonging to or used by such unregistered groups have been confiscated, closed, or destroyed. The Chinese central government reportedly has designated 14 unregistered Protestant movements as "cults." The unregistered churches also face difficulties when attempting to register with the government, and in some cases, local officials have refused to register them. On the other hand, government officials have imposed fines on unregistered Protestant organizations and their followers on account of their belief.

The relationship between the unofficial, Vatican-affiliated Roman Catholic Church and the Chinese government has deteriorated in the last year. The State Department reports that an August 1999 CPC document called for the elimination of the underground Catholic Church. A number of Catholic bishops and priests reportedly remain in prison or in detention while the status of other priests and lay members remain unknown. Recently, the Washington Post reported that the Chinese government arrested a Roman Catholic bishop and several priests in April 2001. The relationship was further strained by the Vatican's decision to canonize on October 1, 2000 (the anniversary of the founding of the PRC) 120 saints with ties to China, which include 87 that were killed during the 1900 Boxer Rebellion.

Finally, in November-December 2000, local government officials destroyed, closed, or confiscated approximately 400 unregistered Protestant and Catholic church buildings in the Wenzhou area (located in the southeastern province of Zhejiang) as a part of the most destructive campaign to crack down on unregistered religious buildings and sites since the late 1970s. There are reports that overall as many as 3,000 churches, temples, and shrines (Christian, Buddhist, and Daoist) in the area have been demolished, blown up, or confiscated for government use. China's state-run media have confirmed these reports.

3. Tibet & Uighur Muslims

Chinese authorities maintain tight control over religious activity of Uighur Muslims and has extended already tight controls over the religious activities of Tibetan Buddhists into private homes.

Islamic institutions and prominent individuals in the Uighur Muslim community have become the target of oppressive, often brutal measures, according to Commission interviews with Uighur representatives and experts. Chinese authorities appear to be unwilling or unable to differentiate between religious exercise or ethnic identity and "separatist" aspirations. Uighur government employees, teachers, and students are not allowed to observe the daily act of praying five times. Mosques are required to record the names of the individuals

attending each day's religious activities. Students that are found to have attended mosques more than three times can be permanently expelled from school. Children who are found to have been taught Islam could also be expelled from school. The government has also restricted Uighur religious activities such as the building of mosques, especially in areas where ethnic unrest has occurred. The government controls the appointment of imams. According to one account, imams are required to undergo political indoctrination and their sermons are censored by government officials. Uighurs are also prohibited from congregating in large numbers, including gathering family members to observe traditional religious holidays.

Uighur Muslims appear to be the only Chinese citizens who are subject to capital punishment for political crimes. In 2000, according to Human Rights Watch, at least 24 Uighur Muslims were executed. Finally, prison officials have tortured Uighur prisoners. In October 2000, one Uighur prisoner died as a result of torture and other mistreatment.

The Tibet Information Network reports that monks and nuns comprised 74 percent of the 266 Tibetan political prisoners it had identified as of January 2001. There have been reports of torture and other extreme forms of punishment meted out to imprisoned Buddhist monks and nuns. According to the State Department, Tibetan monks and nuns are required to undergo "patriotic education," and monks are forced to renounce the Dalai Lama and the Dalai Lama-recognized Panchen Lama. "Monks and nuns failing to accept these precepts can face formal expulsion from monasteries and nunneries, prohibition from any further religious activity, and restricted rights to education, employment and travel."

Restrictions on religious practice have been extended to ordinary citizens in private homes: homes have been searched for shrines, Tibetan religious paintings, and pictures of the Dalai Lama; school children were told not to visit monasteries and temples to pray or to attend religious ceremonies on threat of expulsion. Tibetan Buddhists reportedly are not permitted to observe the Dalai Lama's birthday and in the summer of 2000 strict measures were taken by the government to prevent public participation in other religious festivals. Finally, Tibetan government and party officials are not permitted to have altars and religious materials in their homes, and have been ordered to withdraw their children from monasteries, nunneries, and Tibetan schools in India.

4. Registered Religious Communities

Over the past year, the government has also tightened its control over official religious organizations, especially the official Protestant

and Catholic churches. The Chinese government, through state-sanctioned religious bodies, has increased its control over religious doctrine, seminary curricula, and the training and selection of leaders and clergy. The concurrent honorary president of the official Three Self Patriotic Movement (TSPM) for the Protestant churches in China and the Christian Council of China, reportedly has introduced a new theology that seeks to de-emphasize the differences between believers and non-believers and to ensure that doctrines of the official Chinese Protestant Churches are compatible with socialist ideology.

TSPM churches face other government restrictions. According to reports, they are not permitted to teach fundamental Christian doctrines such as creation and resurrection. They are not allowed to minister to those under the age of 18, and church members cannot preach outside their own village and province. Moreover, pastors that do not follow official guidelines may be relocated, removed from current positions, and stripped of salaries and accommodations.

With respect to the official Catholic Church, the same August 1999 party document that called for the elimination of underground Catholic churches also called for the tightening of government control over the official church.

C. Commission Recommendations

In its May 2000 Annual Report the Commission recommend that the U.S. Congress should grant China Permanent Normal Trade Relations status only after the Chinese government had made substantial improvements in respect to religious freedom, as measured by a number of specific standards. A primary reason that the Commission recommended this was that it feared that approving PNTR without significant action with respect to religious freedom would be interpreted by the Chinese government and the Chinese people as a signal of American un-interest. While Congress has approved PNTR status for China without any such religious-freedom preconditions, the Commission believes that Congress should continue to pay careful attention to the conditions of religious freedom in China and to the persistent failure of the Chinese government to protect religious freedom.

The Commission recommended also last year that President Clinton personally lead efforts to pass a resolution censuring the Chinese government for its human rights violations at the annual session of the UN Commission on Human Rights (UNCHR). In February 2001, the Commission wrote Secretary of State Colin L. Powell urging him to initiate a China resolution at this year's UNCHR session and to mount a sustained campaign at the highest levels to convince other governments to support it. In April, the U.S. government sponsored a China resolution at the UNCHR meeting, but once again U.S. efforts failed to defeat China's bid to stifle debate on the resolution.

In light of this background, the Commission made the following recommendations in its May 2001 annual report:

In its bilateral relations with China, the U.S. government should persistently urge the Chinese government to take the following steps to protect religious freedom:

First: Establish the freedom to engage in religious activities (including the freedom for religious groups to govern themselves and select their leaders without interference, worship publicly, express and advocate religious beliefs, and distribute religious literature) outside state-controlled religious organizations and eliminate controls on the activities of officially registered organizations.

Second: Permit unhindered access to religious persons (including those imprisoned, detained, or under house arrest and surveillance) by U.S. diplomatic personnel and government officials, the U.S. Commission on International Religious Freedom, and respected international human rights organizations. Release persons from imprisonment, detention, house arrest, or intimidating surveillance who are so restricted on account of their religious identities or activities.

On this point I should note that the Chinese government has refused the Commission's request for an invitation to visit China, rejecting the Commission's proposed visit as "highly inappropriate" because the Commission was created by the domestic law of the United States.

Third: Permit domestic Chinese religious organizations and individuals to interact with foreign organizations and individuals.

Fourth: Cease discrimination against religious followers in access to government benefits, including education, employment, and health care.

Fifth: Ratify the International Covenant on Civil and Political Rights.

The U.S. government should continue to work vigorously for the resumption of a high-level unconditional human rights dialogue with the PRC government when the Chinese government demonstrates its commitment to protecting religious freedom, for example, by addressing the items

that I have just mentioned.

The Commission also recommended that until religious freedom significantly improves in China, the U.S. government, led by the personal efforts of the President of the United States, should initiate a resolution to censure China at the annual meeting of the UN Commission on Human Rights (UNCHR) and should support a sustained campaign to convince other governments at the highest levels to support it.

I should note that the Commission was gravely disappointed to learn that the United States was not reelected as a voting member of the UNCHR this year. The mere fact that a country like Sudan, with its atrocious human rights record, can be and is a voting member on the UNCHR while the United States is not is a symptom of a deeper problem growing within this international body. The United States has consistently spearheaded efforts to introduce resolutions that shine a spotlight on countries that violate human rights, particularly religious freedom. These resolutions often fail to gain needed support. Considering the human rights practices of some of the members of the UNCHR, this is not surprising. However, what is even more disappointing is the conduct of traditional U.S. allies, such as members of the European Union - - specifically, their failure both to support such resolutions and earlier this month to support the membership of the United States on this important commission in which it has served since its creation in 1947. If the world cannot rely on an international body such as the UNCHR to condemn human rights violations when they occur, individual countries must take a stand. I think it is safe to predict that without the United States serving as a member of the UNCHR, violations of religious freedom will be given far less attention and all too often ignored.

Companies that are doing business in China should be required to disclose the nature and extent of that business in connection with their access to U.S. capital markets.

In its Annual report, the Commission made this recommendation for companies doing business in any country that has been designated a country of particular concern under IRFA. The purpose of this recommendation is not to bar access to U.S. capital markets, but to provide reasonably prudent investors with information that they may and should deem material to their investment decision.

The U.S. government should raise the profile of conditions of Uighur Muslims by addressing religious-freedom and human rights concerns in bilateral talks, by increasing the number of educational opportunities available to Uighurs, and by increasing radio broadcasts in the Uighur language.

The U.S. government should use its diplomatic influence with other governments to ensure that China is not selected as a site for the International Olympic Games until it has made significant and sustained improvements in religious freedom and human rights.

Finally, the State Department should identify specific individuals and entities involved in violations of religious freedom in China.

That concludes the Commission's prepared remarks.